

City Council Introduction: **Monday**, August 13, 2001
Public Hearing: **Monday**, August 20, 2001, at **1:30 p.m.**

Bill No. 01R-223

FACTSHEET

TITLE: SPECIAL PERMIT NO. 1733B, MUFF 2ND ADDITION COMMUNITY UNIT PLAN, requested by J.D. Burt of Design Associates on behalf of Park Ridge Apartments, L.L.C., to add 83 dwelling units to the Muff and Muff 1st Addition Community Unit Plan, for a total of 166 dwelling units, with a request to reduce the required lot area on the two-family lots, on property generally located at S.W. 8th and West "C" Streets.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Change of Zone No. 3323 (01-138) and Preliminary Plat No. 01005, Muff 2nd Addition (01R-224)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/27/01
Administrative Action: 06/27/01

RECOMMENDATION: Conditional Approval, with amendment to Condition #1.1.4, as requested by the applicant (6-0: Newman, Taylor, Carlson, Steward, Schwinn and Bayer voting 'yes'; Hunter, Duvall and Krieser absent).

FINDINGS OF FACT:

1. This community unit plan amendment and the associated Change of Zone No. 3323 and Muff 2nd Addition Preliminary Plat were heard at the same time before the Planning Commission.
2. The Planning staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.4-5.
3. The applicant's testimony is found on p.8-9, including a request to amend Condition #1.1.4.
4. The record consists of a letter in support from the Lincoln Action Program (p.028).
5. There was no testimony in opposition.
6. On June 27, 2001, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval, with the amendment to Condition #1.1.4, as requested by the applicant.
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: August 6, 2001

REVIEWED BY: _____

DATE: August 6, 2001

REFERENCE NUMBER: FS\CC\FSSP1733B

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: **Muff 2nd Addition**
Change of Zone #3323
Special Permit #1733B
Preliminary Plat #01005

Date: June 13, 2001

****As Revised by Planning Commission, 06/27/01****

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: J.D. Burt, of Design Associates, has applied for the following proposals in the vicinity of W "C" Street and SW 8th Street:

- 1) Change of Zone #3323 from R-2 Residential to R-3 Residential
- 2) Preliminary Plat #01005 Muff 2nd Addition consisting of 12 lots
- 3) Special Permit #1733B - Muff 2nd Addition Community Unit Plan consisting of 166 dwelling units

GENERAL INFORMATION:

APPLICANT: Park Ridge Apartments L.L.C
1542 South 1st Street
Lincoln, NE 68502

CONTACT: J.D. Burt
Design Associates
1609 "N" Street
Lincoln, NE 68508

LAND OWNER: Park Ridge Apartments L.L.C.

LOCATION: SW 8th Street and W "C" Street

LEGAL DESCRIPTION: See attached

EXISTING ZONING: R-2 Residential

PURPOSE: To develop single-, two-, and multi-family dwellings

SIZE: 22.63 acres, more or less (change of zone and C.U.P.)
10.497 acres, more or less (preliminary plat)

EXISTING LAND USE: The area of the preliminary plat is largely vacant, with a single family dwelling located at SW 8th Street and W “C” Street. The Community Unit Plan contains a number of two-, three-, and four-plexes and a single 24 unit apartment building.

SURROUNDING LAND USE AND ZONING: The R-2 Residential zoned Susan C.U.P. lies to the west, I-1 Industrial open space lies to the north, and R-2 Residential housing is to the south and east.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Map designates this area as Urban Residential.

Portions of the C.U.P. are existing residential areas, while the area covered by the preliminary plat could be considered part of the “Future Urban Residential Needs and Plan”

The following are goals for the Future Urban Residential Needs and Plan:

Enhance rural and urban neighborhoods through the preservation of their natural environment.

Increase home ownership opportunities for households of different sizes and income levels. Supplemental statement: Encourage the development of new subdivisions in all areas to increase the supply of buildable lots.

Encourage the development of housing that is appropriate to the requirements of households with special needs, including but not limited to, the elderly, the physically and/or mentally challenged, and households in crisis.

Provide opportunities for the development of multi-racial and multi-income neighborhoods throughout the community.

Encourage efficient use of urban areas by providing for high density residential uses as an integral part of major, planned commercial and residential developments.

The following are goals for existing Urban Residential areas:

Encourage stable and diverse rural and urban neighborhoods by increasing housing opportunities (accessibility and affordability) for all socio-economic groups.

Preserve the character of rural and urban neighborhoods through maintenance of existing housing stock and encouragement of compatible design in new housing.

HISTORY: This area was converted from A-2 Single Family Dwelling to R-2 Residential in the **1979 Zoning Update**.

July 6, 1998 City Council approved Special Permit #1733, the Muff Addition Community Unit Plan, consisting of 5 single family dwellings and 34 duplex dwelling units. The Preliminary Plat was approved by Planning Commission on June 3, 1998. There were no adjustments to height or yard requirements.

May 3, 1999 City Council approved Special Permit #1733A, the Muff 1st Addition Community Unit Plan, which added 44 dwelling units to the existing C.U.P. with density bonuses for low income and handicap housing. The approval also adjusted front yard setbacks from 25' to 23.5' and side yards on some lots from 10' to 5'.

SPECIFIC INFORMATION:

UTILITIES: Available

TOPOGRAPHY: Lower elevations on the northern portion of the property

TRAFFIC ANALYSIS: None of the streets within this Community Unit Plan are shown in the Existing or Future Function Street and Road Classification. Trimble Street is a local street and should not provide the only route to W “A” Street from the proposed apartments.

PUBLIC SERVICES: The nearest fire station is located at 1700 S Coddington.

REGIONAL ISSUES: Flood plain development.

ENVIRONMENTAL CONCERNS: Flood plain and saline wetlands.

AESTHETIC CONSIDERATIONS: Preservation of open flood plain and the wetlands.

ALTERNATIVE USES: Dwellings requiring less fill and development with fewer garages in the flood plain.

ANALYSIS:

1. The developer identifies the phases of the C.U.P. but does not indicate the timing. Phase II should not occur until SW 8th Street can be connected to Hanneman Drive. Based on discussions with the applicant, there is an apparent drafting error which identifies Lots 5 through 11 as part of Phase II.
2. Hanneman Drive is recorded as Charles Avenue, however the applicant has requested Street Name Change #01003 to change the name to Hanneman Drive. The Street Name Change will remain on pending at City Council until this plat is brought before them.
3. The change of zone from R-2 to R-3 increases the number of dwelling units within the C.U.P., reduces the side yard requirements from 10' to 5' on two-family dwellings, and reduces the front yard setback from 25' to 20'. The Muff 1st Addition C.U.P. previously adjusted some side yards to 5' and adjusted all front yards to 23.5'.
4. The higher density apartments are separated from existing structures by new two family dwellings and Hanneman Drive. The change of zone will not adversely affect existing dwellings within the C.U.P.
5. The revised drawings show a 15' rear yard setback along the two-family lots. Neither of the previous Muff additions adjusted rear yard setbacks. The two-family lots to the south must provide rear yards equal to 20% of lot depth and this new development should not be treated differently. If the lots do not provide enough buildable area, Hanneman Drive can be moved further north, thus elongating the lots.
6. The first submittal depicted 8 dumpsters scattered along the north side of the parking lot, while the revision shows two in the far northwest corner. At a minimum, additional dumpsters should be located in the northeast corner of the parking area. Eliminating all of the garage

enclosures would create 7 additional parking spaces which could be used for trash enclosures.

STAFF RECOMMENDATION:

Change of Zone #3323 - Approval

Special Permit #1733B - Conditional Approval

Preliminary Plat #01005 - Conditional Approval

COMMUNITY UNIT PLAN CONDITIONS

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to show:

1.1.1 Revisions that were required by the Muff 1st Addition Preliminary Plat.

1.1.2 Remove the "15' rear yard" label from the rear of the new lots. Add a note to the site plan stating, "Required yards shall be according to R-3 zoning."

1.1.3 Remove "Amendment to" before "Community Unit Plan Legal Description"

1.1.4 ~~Remove at least one garage structure and~~ Provide additional trash enclosures and provide three additional parking stalls in the west parking lot. (****Per Planning Commission, 06/27/01****)

1.1.5 Show landscape screening meeting Design Standards for the outer two new apartment buildings.

1.1.6 Replace Austrian Pine with a species less susceptible to Pine Wilt Disease.

1.1.7 Provide a blanket utility easement, except for building envelopes, on Lot 1, Block 2.

1.1.8 Add a note indicating that Phase II shall not be constructed until Hanneman Drive is connected to SW 8th Street and SW 8th Street is completed south from Hanneman Drive. Revise the area of Phase II so that the single- and two-family units are part of Phase I.

2. This approval permits:

An additional 83 dwelling units to the Muff and Muff 1st Addition C.U.P., for a total of 166 dwelling units.

A reduction in required lot area on two-family lots within the Muff 2nd Addition Preliminary Plat from 5,000 square feet per family to 4,500 square feet per family.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a reproducible final plan and five copies to the Planning Department.

3.2 The construction plans shall comply with the approved plans.

3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.

4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

4.5 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Jason Reynolds
Planner

**CHANGE OF ZONE NO. 3323;
SPECIAL PERMIT NO. 1733B,
AN AMENDMENT TO THE MUFF 2ND ADDITION
COMMUNITY UNIT PLAN;
and
PRELIMINARY PLAT NO. 01005,
MUFF 2ND ADDITION**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 27, 2001

Members present: Newman, Taylor, Carlson, Steward, Schwinn and Bayer; Duvall, Hunter and Krieser absent.

Planning staff recommendation: Approval of the change of zone and conditional approval of the community unit plan amendment and preliminary plat.

Jason Reynolds of Planning staff submitted a letter in support from the Lincoln Action Program.

Proponents

1. J.D. Burt of Design Associates and Bob Stephens of Park Ridge Apartments, presented the application. Burt overviewed the project which is north of West "A" Street in line with Trimble Street, which is the northerly extension of S.W. 9th as it extends north from A. This street was platted as part of Muff Addition and extends north. This application is nothing more than an expansion of the existing Muff Addition. We are visualizing similar type of residential construction. The original Muff Addition has a 24-unit apartment building currently under construction. This application includes the extension of Trimble Street which will become Hannah Drive as it extends to the east with three additional buildings similar to the building currently under construction. On the south side we will end up with 10 townhouse units, retaining the existing single family on SW 8th and West C. We tried to concentrate all the construction along the southerly edge to avoid the floodplain and wetland. We wish to minimize fill in the floodplain and totally avoid any construction even close to the wetlands.

Burt agreed with all conditions of approval, except for Condition #1.1.4 of the community unit plan. Staff is requesting the deletion of one garage unit to provide additional trash facilities. The applicant's market research has indicated the need for nothing less than 40% of the units without a garage. We are proposing 40 garage units in 5 structures located along the north side which we feel is a minimum beneath the market demand. To remedy the dumpster situation, we are proposing to add three parking stalls along the west side of the building currently under construction. We will still be a significant distance north of the front yard setback. We have taken

three parking stalls out of the north side and will extend a dumpster enclosure on the ends of three of the garage buildings to satisfy this concern. He believes that staff supports this change and he requested that Condition #1.1.4 be amended to read: "Provide additional trash enclosure. Three additional parking stalls will be provided in the west parking lot."

There was no testimony in opposition.

Steward asked staff to respond to the requested change to Condition #1.1.4. Jason Reynolds of Planning staff agreed. The three parking stalls remain behind the facade of the apartment building, they are still well outside the front yard setback and would be required to be screened according to design standards.

Bob Stephens expressed appreciation to the staff for their cooperation on this project.

Public hearing was closed.

CHANGE OF ZONE NO. 3323

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

June 27, 2001

Steward made a motion to approve, seconded by Carlson and carried 6-0: Newman, Taylor, Carlson, Steward, Schwinn and Bayer voting 'yes'; Hunter, Duvall and Krieser absent.

SPECIAL PERMIT NO. 1733B

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

June 27, 2001

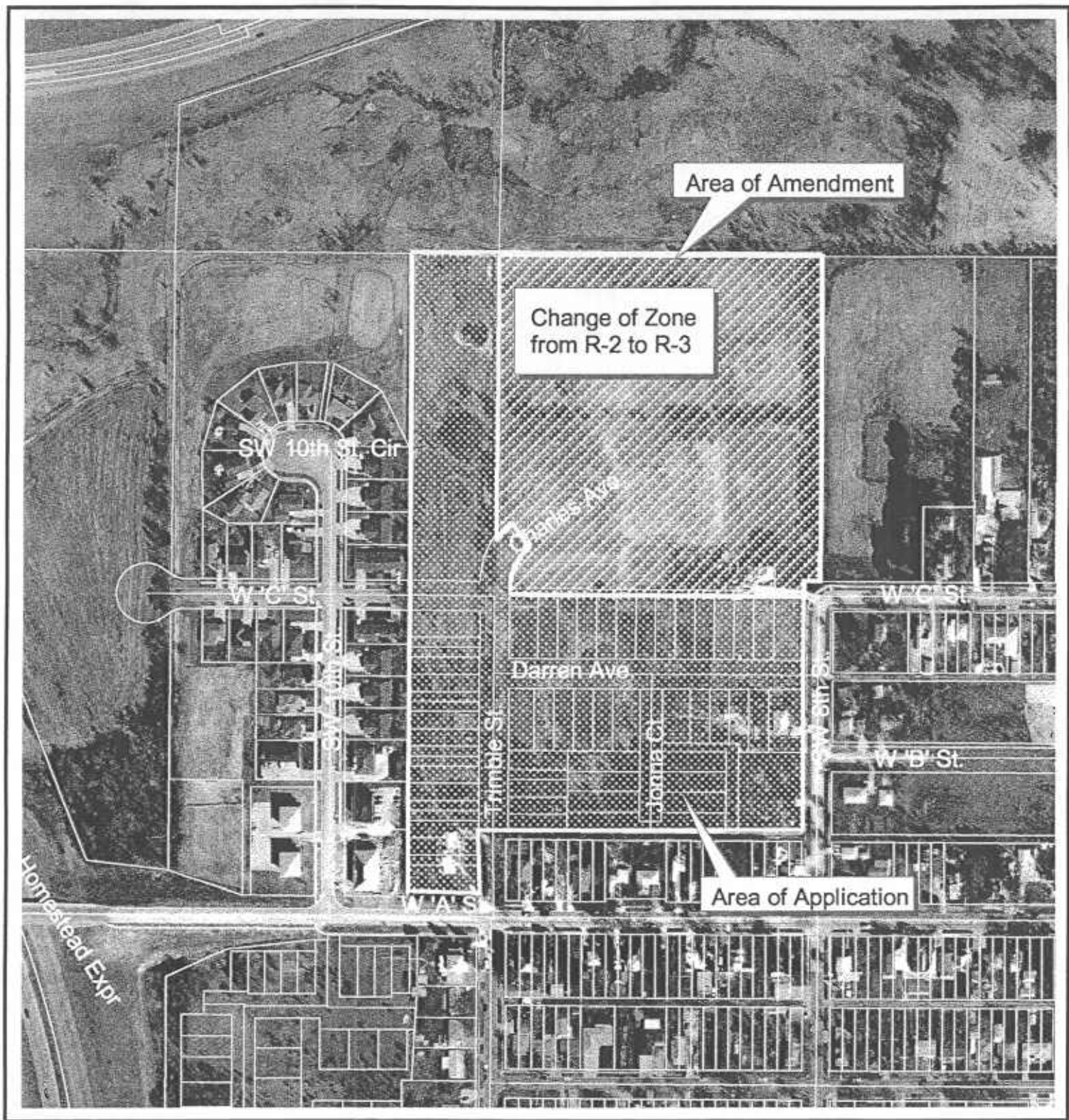
Steward moved to approve the Planning staff recommendation of conditional approval, with the amendment to Condition #1.1.4 as requested by the applicant, seconded by Schwinn and carried 6-0: Newman, Taylor, Carlson, Steward, Schwinn and Bayer voting 'yes'; Hunter, Duvall and Krieser absent.

PRELIMINARY PLAT NO. 01005

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

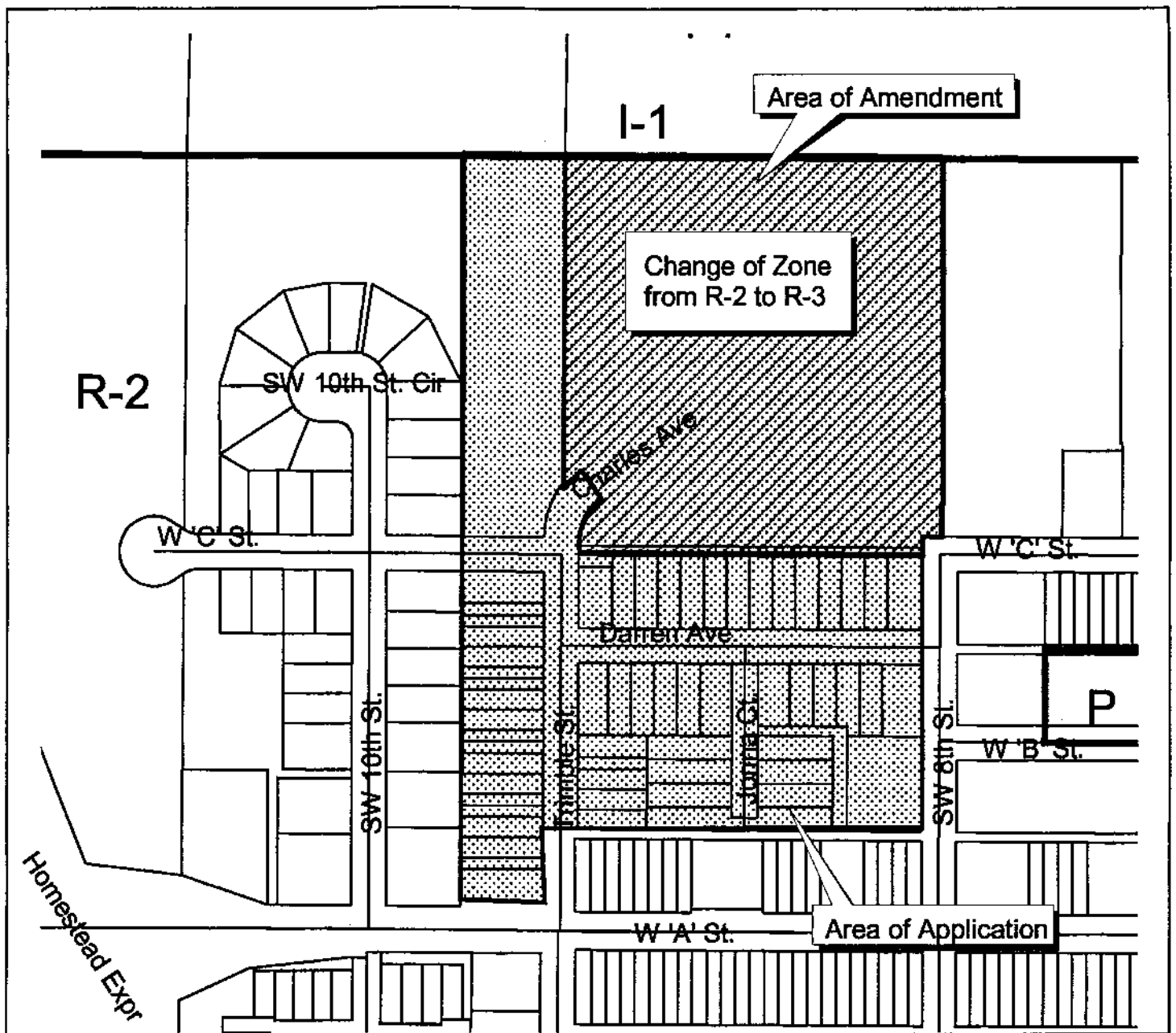
June 27, 2001

Steward moved to approve the Planning staff recommendation of conditional approval, seconded by Schwinn and carried 6-0: Newman, Taylor, Carlson, Steward, Schwinn and Bayer voting 'yes'; Hunter, Duvall and Krieser absent.



**Change of Zone #3323
Special Permit #1733B**





Change of Zone #3323 Special Permit #1733B

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

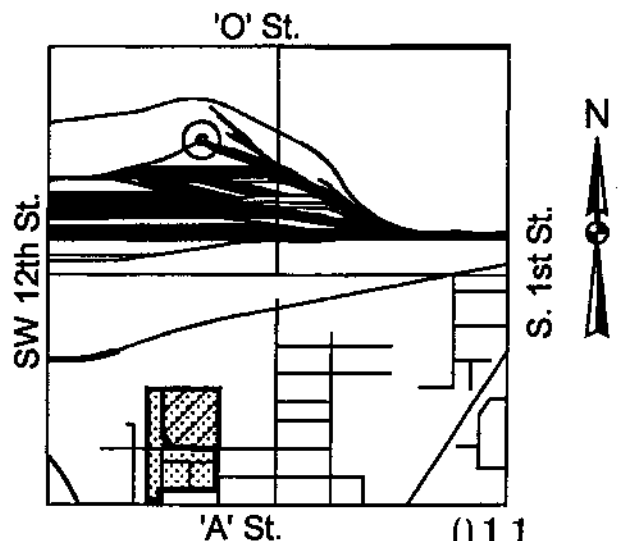
One Square Mile
Sec. 27 T10N R6E



Zoning Jurisdiction Lines



City Limit Jurisdiction



CHANGE OF ZONE & AMENDMENT TO COMMUNITY UNIT PLAN LEGAL DESCRIPTION

DESCRIPTION OF LOTS 105 AND 74 OF IRREGULAR TRACTS, BLOCKS 1 AND 2 IN MUFF 4TH ADDITION, BLOCKS 1 AND 2, AND OUTLOTS 'A' AND 'B' IN MUFF 3RD ADDITION, BLOCKS 1 AND 2 MUFF 2ND ADDITION, BLOCK 1 MUFF 1ST ADDITION, BLOCKS, 1, 2 AND 3 AND OUTLOT 'A' IN MUFF ADDITION ALL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 6 EAST THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 53 MINUTES 59 SECONDS EAST ON THE NORTH LINE OF LOT 105 OF IRREGULAR TRACTS FOR A DISTANCE OF 671.99 FEET.

THENCE SOUTH 00 DEGREES 05 MINUTES 50 SECONDS WEST ON THE EAST LINE OF SAID LOT 105, FOR A DISTANCE OF 594.93 FEET.

THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 2.69 FEET.

THENCE SOUTH 00 DEGREES 23 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 54.52 FEET.

THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 30.25 FEET.

THENCE SOUTH 00 DEGREES 23 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 36.25 FEET TO THE SOUTHEAST CORNER OF LOT 74 OF IRREGULAR TRACTS.

THENCE SOUTH 00 DEGREES 15 MINUTES 23 SECONDS EAST ON THE EAST LINE OF BLOCKS 1 AND 3 IN MUFF ADDITION FOR A DISTANCE OF 315.82 FEET.

THENCE SOUTH 00 DEGREES 30 MINUTES 22 SECONDS EAST AND CONTINUING ON THE EAST LINE OF SAID BLOCK 3 FOR A DISTANCE OF 159.12 FEET TO THE SOUTHEAST CORNER OF LOT 7 IN SAID BLOCK 3.

THENCE SOUTH 89 DEGREES 58 MINUTES 54 SECONDS WEST ON THE SOUTH LINE OF BLOCKS 2 AND 3 IN MUFF ADDITION AND ON THE SOUTH LINE OF BLOCK 2 IN MUFF 3RD ADDITION AND ON THE SOUTH LINE OF BLOCK 2 IN MUFF 2ND ADDITION FOR A DISTANCE OF 632.08 FEET TO A POINT ON THE CENTERLINE OF TRIMBLE STREET.

THENCE SOUTH 00 DEGREES 53 MINUTES 04 SECONDS EAST ON THE CENTERLINE OF TRIMBLE STREET FOR A DISTANCE OF 140.83 FEET.

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ON THE SOUTH LINE OF BLOCK 1 IN MUFF 2ND ADDITION EXTENDED FOR A DISTANCE OF 175.74 FEET TO THE SOUTHWEST CORNER OF BLOCK 1 IN MUFF 2ND ADDITION.

THENCE NORTH 00 DEGREES 30 MINUTES 46 SECONDS WEST ON THE WEST LINE OF BLOCK 1 MUFF 2ND ADDITION AND ON THE WEST LINE OF BLOCKS 1 AND 2 IN MUFF 4TH ADDITION FOR A DISTANCE OF 1300.86 FEET TO THE NORTHWEST CORNER OF BLOCK 1 IN MUFF 4TH ADDITION.

THENCE NORTH 89 DEGREES 53 MINUTES 59 SECONDS EAST ON THE NORTH LINE OF BLOCK 1 IN MUFF 4TH ADDITION FOR A DISTANCE OF 175.80 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD.
SAID PROPERTY CONTAINS 22.628 ACRES MORE OR LESS.

PRELIMINARY PLAT LEGAL DESCRIPTION

DESCRIPTION OF LOT 74 OF IRREGULAR TRACTS, AND LOT 105 OF IRREGULAR TRACTS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 6 EAST THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 53 MINUTES 59 SECONDS EAST ON THE NORTH LINE OF LOT 105 OF IRREGULAR TRACTS FOR A DISTANCE OF 671.99 FEET.

THENCE SOUTH 00 DEGREES 05 MINUTES 50 SECONDS WEST ON THE EAST LINE OF SAID LOT 105, FOR A DISTANCE OF 594.93 FEET.

THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 2.69 FEET.

THENCE SOUTH 00 DEGREES 23 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 54.52 FEET.

THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 30.25 FEET.

THENCE SOUTH 00 DEGREES 23 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 36.25 FEET TO THE SOUTHEAST CORNER OF LOT 74 OF IRREGULAR TRACTS.

THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 74 OF IRREGULAR TRACTS FOR A DISTANCE OF 633.14 FEET.

THENCE NORTH 00 DEGREES 28 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 29.98 FEET.

THENCE NORTH 00 DEGREES 21 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 655.49 FEET TO THE NORTHWEST CORNER OF LOT 105 OF IRREGULAR TRACTS AND POINT OF BEGINNING.

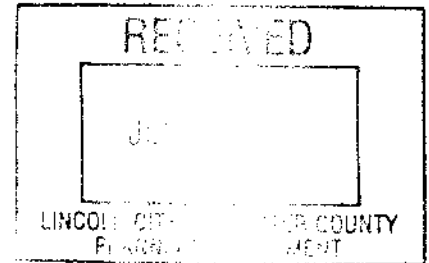
TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD.

SAID PROPERTY CONTAINS 10.497 ACRES MORE OR LESS.

**LINCOLN PARKS AND
RECREATION DEPT.**

Memo

To: Jason Reynolds, Planning
From: J.J. Yost, Parks & Recreation
Date: 7 June 2001
Re: Muff 2nd Addition C.U.P. - Preliminary Plat #01005, Special Permit #1733A, Change of Zone #3323



Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Due to presence of the saline wetlands that are currently located immediately north of this property, it is recommended that runoff/drainage issues be carefully examined to prevent negative impacts to this environmentally sensitive area.
2. The Landscape Plan should include a list, as part of the Landscape Schedule, that identifies street tree names, street tree letter symbols, tree types, sizes, quantities, etc. for all street trees shown on the plan.
3. Austin Pine and/or Scotch Pine should not be planted due to serious disease problems. Recommended alternatives include Colorado Blue Spruce, Norway Spruce, Black Hills Spruce or Limber Pine (i.e. Vanderwolf Pine).

If you have any additional question, comments or concerns, please feel free to contact me at 441-8255.

Memorandum

To: Jason Reynolds, Planning Department

From: Charles W. Baker, Public Works and Utilities *BWB*

Subject: Muff 2nd Addition CUP, Special Permit # 1733A, Preliminary Plat # 01005

Date: June 4, 2001

cc: Roger Figard, Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the revisions to Muff 2nd Addition CUP located north of SW 8th and West 'C' Streets. Public Works has the following comments:

Item 2. Two fire hydrants are shown on the north side of Hanneman Drive as requested. Is the CL of the future 8th Street a good location for the required Type II Hydrant as shown? Public Works suggests this hydrant be placed in a location that will not require relocation for future development. A phone conversation with Mr. Burt indicates that this situation will be corrected on the final construction plans.

Item 4. A 25' wide drive opening is now shown as requested.

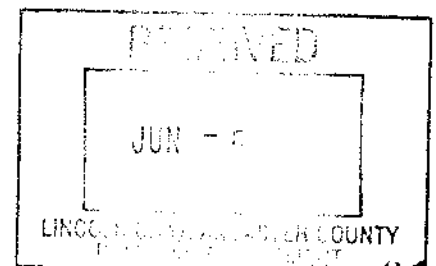
Item 5. The right-of-way is now dimensioned and sidewalk locations are shown as requested.

Item 8. Public Works understands that SW 8th Street will be extended through Hanneman Drive and that negotiations are in process to accomplish this requirement.

Item 18. The grading plan has been revised to include pre- and post-development flood plains.

Item 24. A Typical Parking Detail has been shown. Note the dimension in the northeast parking lot still shows 15 feet, not 15.5 feet as shown on the typical.

Item 35. The Grading Contours have been shown on the detention cell as requested.





June 1, 2001

Jason Reynolds
City-County Planning Department
555 So 10 St
Lincoln NE 68508-3992

SUBJECT: Muff 2nd addition

Jason,

I have reviewed the above-mentioned request.

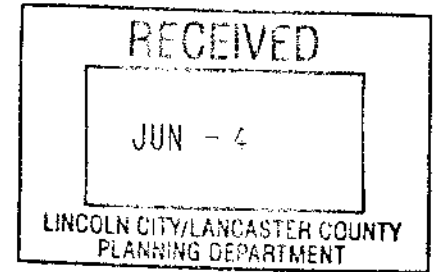
I find no concerns on behalf of the United States Postal Service and would agree with this proposal as submitted.

Please feel free to call me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read "David L. Wampler".

David L. Wampler
Acting Supv. Customer Service Support



City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF01063**

Address

Job Description: **MUFF 2ND ADDITION**

Location: **MUFF 2ND ADDITION CUP**

Special Permit: **Y 1733A**

Preliminary Plat: **Y 01005**

Use Permit: **N**

CUP/PUD: **Y 3323**

Requested By **JASON REYNOLDS**

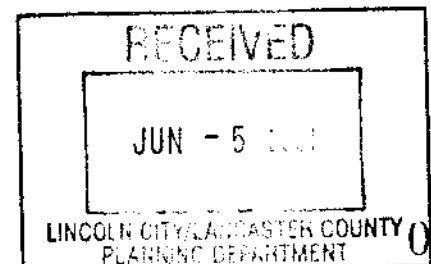
Status of Review: **Approved**

Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE** **BOB FIEDLER**

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards





INTER-DEPARTMENT COMMUNICATION

DATE May 10, 2001

TO Jason Reynolds, City Planning

FROM Sharon Theobald
(Ext. 7640)

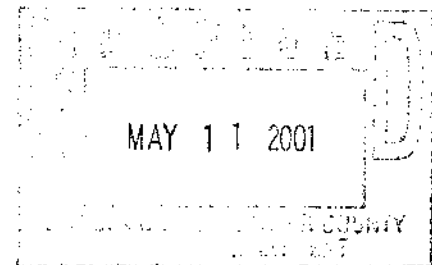
SUBJECT DEDICATED EASEMENTS
DN #10S-9W

Attached is the Muff 2nd Addition Preliminary Plat and C.U.P.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over Lot 1, Block 2.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

Sharon Theobald



ST/ss
Attachment
c: Terry Wiebke
Easement File

OFFICEFOI\DEDEAS.Fm



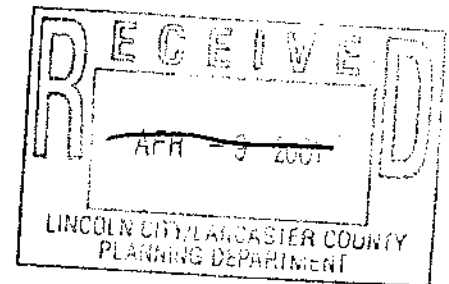
**Design
Associates** of Lincoln, Inc.

Pershing Square
1609 'N' Street
Lincoln, NE 68508
Phone: (402) 474-3000 • Fax: (402) 474-4045 432-7995

April 9, 2001

Kathleen Sellman
Lincoln-Lancaster County Planning Department
555 South 10th Street
Lincoln, Nebraska 68508

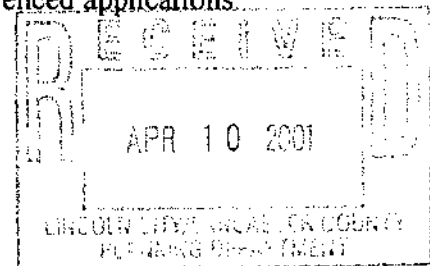
RE: Change of Zone
Muff 2nd Addition Preliminary Plat/Community Unit Plan
Amendment to Special Permit #1733A



Ms. Sellman:

Attached please find the following documents for review of the referenced applications:

Boundary Survey
Site/Utility Plan
Existing/Proposed Grading and Drainage
Street Centerline Profiles
Street Tree/Landscape/Recreation Plan
Aerial photo with description of soil properties



Muff 2nd Addition is generally located between Trimble Street and SW 8th Street north of West "C" Street. The plat is bordered on the north by Capital Parkway West, south by Muff 1st Addition, east by Lot 106 I.T. and west by Muff Addition. The proposed preliminary plat and expansion of Special Permit #1733A includes 10.21 Acres, inclusive of public right-of-way.

Muff 2nd Addition includes extension of Trimble Street to accommodate the needs of this development and the adjacent property to the east. Streets, utilities and storm water detention will be constructed in compliance with adopted design standards. Utility construction along the easterly extension of Trimble Street will include extension of 6-inch water mains and 8-inch sanitary mains from Muff Addition. Storm sewer and associated easements will be provided to accommodate storm water run-off discharge from Muff 1st Addition.

Site grading is limited to the southerly portion of the site to avoid disruption of existing wetlands and excessive construction within the limits of the flood plain. Construction will be consistent with the approved flood plain development permit.

The submittal includes a Change of Zone from R-2 to R-3 for the Muff CUP, original and 1st Addition Preliminary Plats, and the proposed expansion. Approval of the requested change of zone will allow construction of an additional twenty-six (26) dwelling units within the limits of the Muff 2nd Addition

above the present zoning. Planning staff has indicated their support of the change of zone and additional density to encourage residential development in this area of the community.

Development in Muff 2nd Addition includes twenty (20) duplex units, seventy two (72) multifamily units and one single family dwelling located southeast corner of the amendment area. The design includes duplex units along the south side of Trimble Street and multifamily units along the north side of Trimble Street to create a buffer between the existing residences and the proposed multifamily.

The amendment to the Special Permit also includes realignment of the parking lot located north of the existing multifamily building located at the intersection of Trimble Street and West "C" Street. This parking lot has been redesigned to provide internal circulation between the existing and proposed multifamily units to reduce circulation within the public right-of-way and better serve the parking demands for the multifamily units. The approved recreation area located north of the existing multifamily units has been enlarged and relocated to the east to avoid storm water discharge.

Prior to finalization of this plan, the developer and this office invited property owners within the limits of the change of zone to an open house to discuss the development. No one attended the open house. The plan was also presented to the neighborhood association. The Board voted to recommend approval. The Board did, however, reserve their right to object if strong opposition was received from neighbors upon formal submittal of the applications to the city.

As noted above, the proposed development has been designed to complement the existing residential area with continuation of duplex units and placement of the multifamily units adjacent to the undisturbed flood plain. In addition, the development and grading plans have been designed to minimize intrusion and disruption of the flood plain and specifically designed to avoid any disruption of existing wetlands located on the site. It is desire of the developer to provide a development that will benefit the surrounding area with a density similar to other developments located in other areas of the community.

Please contact this office if you or your staff have any questions or are in need of any additional information.

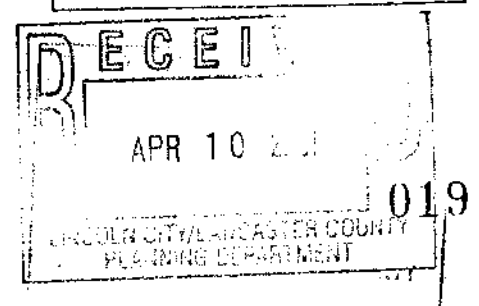
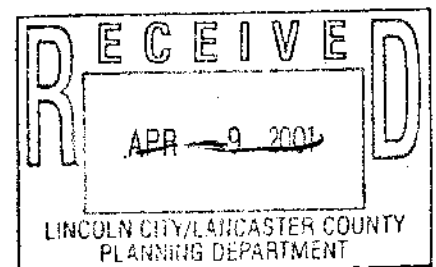
Sincerely,



J.D. Burt
For the firm

Attachment: Application for Preliminary Plat
Application for Special Permit
Change of Zone Application w/legal description

cc: Bob Stephens





May 4, 2001

J.D. Burt
Design Associates
1609 N Street
Lincoln, NE 68508

RE: Preliminary Plat #01005
Special Permit #1733B
Change of Zone #3323

Dear J.D.:

Your preliminary plat has been reviewed by the county staff, the city staff and other agencies involved in land subdivision. The review found the plans will need revisions to bring them into compliance with the regulations. Those revisions include:

1. Muff 4th Addition dedicated Charles Avenue where the site plan shows Hanneman Drive. Either submit a request for a street name change, which requires a process separate from that of the preliminary plat, or label the street as Charles Avenue. In the interest of simplicity, this letter refers to the street as Hanneman Drive.
2. Show fire hydrants on proposed Hanneman Drive.
3. Revise the landscape plan to show Red Sunset Maple as the street tree on Hanneman Drive.
4. Provide pavement width for the private driveway west of the westernmost apartment building.
5. Dimension the right-of-way and show sidewalks.
6. Label the number of units on each apartment building.
7. Correct the parking stall counts on the western portion of the apartment area: 31 should be 32 and 20 should be 19.
8. Section 26.23.090 of the Land Subdivision Ordinance discourages the creation of half streets adjacent to unsubdivided property. In this case, the

020



half street is an extension of the existing SW 8th Street and could therefore be permitted as part of the CUP phasing. The eastern two apartment buildings shall not be constructed until SW 8th Street is fully connected to Hanneman Drive.

9. Provide clear lot lines and dimensions for Lot 1 Block 2 and Lot 1 Block 1, Muff 4th Addition.
10. Identify the structures adjacent to the westernmost building envelope.
11. The boundary survey must be signed by a registered land surveyor and it must locate section corners and section lines.
12. Provide the platted bearings and distances where this preliminary plat abuts already platted areas (Adjacent to Block 1, Muff Addition; Block 1, Muff 1st Addition; Block 1, Muff 3rd Addition; Block 2, Muff 4th Addition; Block 1, Muff 4th Addition).
13. On Sheet 1, provide signature blocks for the chair of the Planning Commission and the City Clerk. The chair of the Planning Commission signs for the Preliminary Plat and the City Clerk signs for the C.U.P.
14. Section 26.15.020(c) requires that the location, name and size of all existing trees with 3" or greater caliper be shown. The aerials show a tree line approximately 200' north of the northernmost point of the currently platted Trimble Street. There are a number of trees in the vacated alley on the south side of the plat. There is also a tree line running along the east line of Lot 1 Block 1, Muff 4th Addition. Show the trees to be removed and the trees to be preserved.
15. Provide screening in accordance with Design Standards. The landscape plan does not show any screening for the multi family unit on Lot 1 Block 1, Muff 4th Addition. Design standards also require that half of the screening material be coniferous or plants that retain their leaves through the winter months. Additional evergreen screening material is required on the three eastern buildings.
16. Dimension the setbacks.
17. All information required by Section 26.15.40 "Development Within Floodplain" has not been provided with the Preliminary Plat submission. Until this information is provided to the satisfaction of the City, a determination of compliance with Section 26.11.100 "Subdivision of Land Within the Floodplain" and Section 26.23.181 "Development of Land Within the Floodplain" cannot be made by the City. After all of the required information

of Section 26.15.40 has been submitted and found complete, our review per Section 26.11.100 and 26.23.181 can continue.

18. The following are required by section 26.23.181 of the Land Subdivision Ordinance:
 - Clarify the location of the 100-year flood plain. The lines disappear at Hanneman Drive, nor is the post-grading flood plain indicated.
19. The following are required by section 26.15.040 of the Land Subdivision Ordinance:
 - The amount of fill material brought into the flood plain. If the fill is from the flood plain, provide the location of the borrow area.
20. Clarify the location of the preliminary plat in relation to the change of zone and the C.U.P.
21. On sheet 1, delete "& amendment to Community Unit Plan" above the legal description. Add "& Community Unit Plan" to "Change of Zone".
22. Clarify Note 18.
23. The outlots letters listed below the density calculations do not agree with the outlots shown on the site plan. Provide the purpose for all outlots within the Community Unit Plan.
24. Remove the "typical parking" note from the site plan and replace it with appropriate diagrams.
25. The entire Community Unit Plan needs to depict lot dimensions, contours, setback labels, right-of-way widths, sidewalks, and landscaping. See section 27.65.070 of the Zoning Ordinance for a complete list of requirements.
26. Identify the dashed lines on Lot 1, Block 1, Muff 4th Addition.
27. The site plan currently shows a 0' setback on the west line of Lot 1, Block 2. Section 27.71.140 states that the separation between apartment buildings on a single lot must be 30 feet for two-story buildings and 40' for three-story buildings. Either combine the two lots or provide a 5' side yard setback.
28. L.E.S. has not yet responded. You will be notified when we receive their comments. Section 26.15.015(k) of the Land Subdivision Ordinance requires that all existing and proposed easements within or adjacent to the subdivision be shown.

29. Provide a justification for the waiver request to allow parking areas in the front yard setback. If both of the eastern building envelopes were the same size as the westernmost building on Lot 1, Block 2, the parking area could be shifted approximately 70 feet to the west and would not require a waiver.
30. The "total area" portion of the density calculations do not match the acres listed in the legal descriptions.
31. Revise "amendment" total allowable units to 70 and adjust the total C.U.P. units accordingly.
32. Remove or explain the "area reduction" row in the Density Calculations.
33. Show a 30' "no grading" buffer around the wetlands as was shown on previous versions of the C.U.P.
34. To the legal description for the Change of Zone/C.U.P., add Outlots A and B, Muff 3rd Addition.
35. Provide grading contours for the detention cell.

In addition you should be aware of the following general requirements:

1. You must complete, or post a surety to guarantee the completion of, the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, at your own expense, in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
2. You must agree:
 - 2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
 - 2.2 To complete the private improvements shown on the preliminary plat.
 - 2.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The

subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

- 2.4 To continuously and regularly maintain the street trees along the private roadways and landscape screens.
- 2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.
- 2.6 To pay all improvement costs.
- 2.7 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

The following issues, although not mandated by the subdivision ordinance, will be requested as part of the Community Unit Plan special permit:

- 1. Provide more curved contours for the detention cell. Add swales with native plantings to improve water quality and to provide a more natural transition to the saline wetlands.
- 2. Relocate the garages. The eastern portion of the open space is currently blocked by 32 stalls of garages and dumpster enclosures. The open space to the north is crucial to the Community Unit Plan as both recreation and amenity; structures would diminish enjoyment of that open space. Garages could be incorporated into the building design and/or relocated to the northeast and northwest corners of the parking area.
- 3. A Community Unit Plan requires recreation facilities for all within its boundaries; provide a common access easement so that residents of the non-apartment areas may use the courts, swings and open space. Provide a sidewalk along each of the apartment driveways so that other residents may more easily access the facilities. Move the recreation facilities west from the northeast corner of the parking lot so that they are adjacent to the center of the parking area.
- 4. It would be desirable for each unit in the three new apartment buildings to have a view of the open space to the north. There are few multifamily locations which allow unobstructed views of open areas and such a design would take advantage of this unusual circumstance.
- 5. As noted above, the two eastern apartment buildings shall not be built until SW 8th Street is complete to Hanneman Drive. Please provide a phasing plan

indicating that timing.

All deviations from the Land Subdivision Ordinance and the adopted Design Standards must be set forth, reasons given for each deviation, reasons given on how the proposal meets the intent of the Land Subdivision Ordinance and why the deviation should be accepted must be submitted with the revised preliminary plat. Refer to Section 26.15.030(d) of the Lincoln Municipal Code.

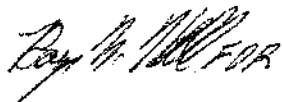
The next step in the review process requires a written response from you indicating agreement or disagreement (including a list of waivers) with each of the preceding revisions and general requirements. The revised preliminary plat and accompanying documents must be submitted 5 Mondays before the Planning Commission hearing.

Following the review of the revised plans and your response to the issues, I will re-evaluate the proposed preliminary plat for compliance with code requirements and design standards..

Please find attached reports from other departments who reviewed your plans.

Jason Reynolds will gladly assist you in processing this plan and you may contact him at 441-7620.

Sincerely,



Kathleen A. Sellman, AICP
Director of Planning

Attachments

cc:

Dennis Bartels, Public Works & Utilities
Lincoln Electric System
Alltel Communications
City-County Health Department
Building & Safety
Parks & Recreation
County Engineering
Fire Department
Police Department

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**Design
Associates** of Lincoln, Inc.

Pershing Square
1609 'N' Street
Lincoln, NE 68508
Phone: (402) 474-3000 • Fax: (402) 474-4045

MAY 17 2001

May 17, 2001

Ray Hill
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln, Nebraska 68508

RE: Preliminary Plat #01005
Special Permit #1733B
Change of Zone #3323

Ray,

The following is offered in response to your correspondence dated May 4, 2001. Revisions are as follow:

1. The submittal documents continue to propose the street name Hanneman Drive. A request to change the street name from Charles Avenue to Hanneman Drive is attached under separate cover.
2. Two fire hydrants have been added along the north of Hanneman Drive.
3. The landscape plan identifies Red Sunset Maple trees along Hanneman Drive.
4. Revised as requested.
5. Revised as requested.
6. Revised as requested.
7. Parking for the multifamily area has been revised per your recommendation. Parking stall count has been revised accordingly.
8. Contact has been made with the affected property owner to the east. It is acknowledged that additional right-of-way is needed to construct SW 8th Street. The revised submittal includes a phasing plan to address construction of SW 8th Street.
9. Revised as requested.
10. The structures located adjacent to the westernmost building are identified as a swing and slide and are proposed as part of the recreation plan.
11. The plat has been signed by the Surveyor.
12. Revised as requested.
13. Revised as requested.
14. Revised as requested.
15. Revised as requested.
16. Revised as requested.
17. No comment required
18. Grading plan has been revised to include pre and post development flood plains.

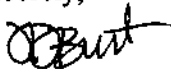
19. The amount of imported into the flood plain is 3,300 cubic yards and is identified in General Note 21.
20. Revised as requested.
21. Revised as requested.
22. Comment deleted.
23. Revised as requested.
24. Revised as requested.
25. Revised as requested.
26. Revised as requested.
27. Building envelopes located along the north side of Hanneman Drive have been relocated to provide a minimum separation between buildings of 40' and is identified in General Note 22.
28. No comment required.
29. Parking located north of the building envelopes has been revised to relocate garage structures and eliminate parking east of the easternmost envelope, thus eliminating the need for parking or driving aisles in front yard setback areas.
30. Revised as requested.
31. Revised as requested.
32. Revised as requested.
33. Revised as requested.
34. Revised as requested.
35. Revised as requested.

In addition, the following is offered in response to non-mandated recommendations:

1. The detention cell has been revised to provide an alternate design. This dry cell will be planted with grasses to assist in improving water quality.
2. Garages along the north side of the parking area have been relocated to provide a centralized recreation area.
3. A sidewalk and pedestrian access easement have been added to allow use of the recreation area by residents located south of the multi-family area.
4. The site has been designed with buildings that provide window surfaces on the north and south sides to allow residents on the north side of the buildings to view the open space to the north. Compliance with the recommendation to provide a north view to all dwelling units becomes cost prohibitive.
5. Please refer to phasing plan.

Please advise if additional information is needed.

Sincerely,



J.D. Burt
For the firm

cc: Bob Stephens

IN SUPPORT



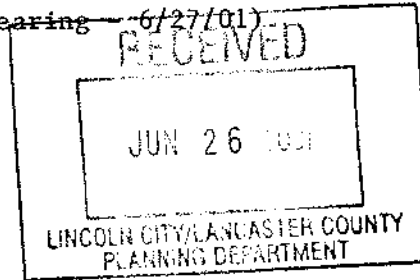
ITEM NO. 3.2a,b,c: CHANGE OF ZONE #3323

SPECIAL PERMIT 1733B

PREL. PLAT 01005

(p.133- Public Hearing 6/27/01)

L I N C O L N
ACTION
P R O G R A M



June 22, 2001

Mr. Jason Reynolds
Lincoln/Lancaster County Planning Department
Ste 213 555 South 10th Street
Lincoln NE 68508

Re: Change of Zone
Preliminary Plat 01005
Special Permit 1733B

Dear Mr. Reynolds:

Lincoln Action program Housing Development Corporation serves as the general partner of LAP Housing Jonna Court Limited Partnership, which owns the low-income housing tax credit project located on Jonna Court within the application area. We have been in contact with J.D. Burt of Design Associates regarding the application and would like to offer our support of this change. It is our understanding that the change will allow the property owner to add additional dwelling units and in addition the property owner will be constructing a playground/recreation area that will be available to all the residents within the area. The additional recreational opportunities for the tenants of our projects will be beneficial and we support the applicants in their efforts.

Sincerely,

Lincoln Action Program Housing
Development Corporation, General
Partner of Jonna Court Limited
Partnership

cc. Thomas C. Huston
J.D. Burt

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